IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7733 OF 2006

Nashik District Central Co-op. Bank Ltd. ...Petitioners

v/s

The Nashik District Co-op. Board Ltd. ...Respondents

Mr Kishor Patil i/b Mr P.N. Joshi for Petitioners.

Mr Vijay Patil for Respondents.

CORAM : D.K. DESHMUKH J.

DATE : 6TH JULY 2007.

P.C. :-

1. Heard learned counsel for the petitioners.

Perused the order passed by the Appeal Court. Admittedly, the original disputant is a member of the opponent No.1 - Bank. It is the claim of the original disputant that they had an account with the petitioner - Bank and the petitioner - Bank permitted unauthorised withdrawal from that account. The defence of the petitioners was that the account does not belong to the disputant but because of this, the dispute filed by the original disputant will not become non-maintainable before the Co-operative Court. The defence of the petitioners may be strong and therefore, the disputant may not be able to get an award in his favour but because of that, it cannot be said that the dispute is not maintainable. I do not find any substance in the petition. Petition is rejected.

. Parties to act on copy of this order duly authenticated by the Sheristedar / Private Secretary as true copy.

. Certified copy expedited.